

**BARS THE WAY TO DIVORCE**

**JUSTICE BECKMAN INSISTS UPON UNMISTAKABLE PROOF.**

**Two Applicants Who Admitted Alleged Bigamous Marriages as Bases for Annullment Ordered by Him to Bring More Conclusive Proof of the First Ceremony.**

There is a marked difference among the Judges who attend to the undefended divorce cases on Wednesdays as to the care with which the evidence is scrutinized. Justice Beckman, who began his second month in that part of the court yesterday, was quite strict the first month, and more so yesterday. Justice Smyth, who preceded him as Justice, has been the most lenient of the Judges. Justice Dugro, who sat in this part earlier in the year, took a line between the extremes of strictness and liberality in viewing the evidence. Last fall Justice Dugro was severely censured by lawyers and in the newspapers for throwing out divorce cases that would not now pass muster before any of these Judges. On the whole the road to divorce has become much harder under the new régime of the courts.

A case in point before Justice Beckman was that of Madeline Wilson, a translator of French, who sought an annulment of her marriage to Richard Wilson on allegations that when she married him, in October, 1885, he had a wife living. The Rev. Henry C. Beatty of Hoboken testified that he had married Douglas R. Wilson and Jenny Jones on July 3, 1880. He said that a photograph of the defendant, taken by him, showed he had married. When more closely pressed he said he was morally certain that it was the man. The Judge said that moral certainty was not enough. The second marriage was conclusively proved, and then Justice Beckman said that the first marriage must be proved.

Counsel said that he had proved it by Clergyman Beatty, but the Judge declared that the evidence was insufficient and that he must be produced. The lawyer said that he had proved the first marriage sufficiently, at least, to entitle him for an action of annulment, and that it was not fit to offer to defend himself. The Judge said:

"The clergyman does not appear positively to the facts, but he is here and has been corroborated. The evidence is in his corroborations. The Court will insist that the proof be convincing. It does not matter that the defendant is not here, but he must be present."

Alfred G. Green, a lawyer from New York, in the same way in an action he had before the same Judge to annul her marriage to Carlisle Norwood, said that he had been unable to prove that while she was living in this city, and he was getting about \$10,000 a year in his advertising business. They have one child. Three months before the marriage the lawyer learned that Greely had previously married May Hendes of Albany, by whom he had two children, and that she had died in 1881, and had returned to San Francisco in December, 1891, and on his return explained that he had obtained a divorce. Dr. W. H. Tracy, a lawyer, claimed that he was living at the old Remo Hotel, and that he may have had first married, and that he had not been divorced from her. The second marriage was annulled, and the couple were separated when a certificate of the first marriage was offered the Judge ruled it out.

John G. Mercer, a lawyer, tried to get over the difficulty by introducing letters of Greely referring to his marriage to Mrs. Norwood. The Judge said that he would have to prove it in some other way, and the case was adjourned two weeks to give counsel a chance to get the evidence.

John G. Mercer obtained a verdict in his favor before Justice Day of the Supreme Court yesterday in his action for an absolute divorce against his wife, who was represented by her husband, who is an engraver, with the aid of Gabriel Cheralier, a clerk in the Treasury.

John G. Mercer has granted an absolute divorce to Florence B. Mercer from John G. Mercer.

**Father Mooney & Monsignor Now.**

The Rev. Father Joseph F. Mooney, pastor of the Church of the Sacred Heart in West Fifty-first street, yesterday celebrated his silver jubilee, or the twenty-fifth anniversary of his clerical office. He received from Archbishop Corrigan a parchment containing the signature of Pope Leo XIII., conferring upon him the title of Monsignor.

**FINANCIAL AND COMMERCIAL.**

**New York Stock Exchange-Sale June 3.**

**UNITED STATES AND STATE BONDS (IN \$1,000).**

**U.S. 4% c. 1907. 10000 24 U.S. 4% c. 1925. 11000**

**10 Ten Set. 8.**

**(LOSING PRIZE OF UNITED STATES BONDS.**

**Ed. Asked. Bid. Asked. Ask'd. Asked.**

**U.S. 3% 1904. 10000 24 U.S. 3% 1925. 11000**

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**RAILROAD AND OTHER BONDS IN \$1,000.**

**2 Atch gnl 4%. 784 X N.Y. Pacific 8% R.**

**3 Atch gnl 4%. 761 X N.Y. Central 4% R.**

**5 Atch gnl 4%. 744 X N.Y. Central 4% R.**

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